



Board of Adjustment Case Report

City of Raleigh
Department of City Planning
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2626
www.raleighnc.gov

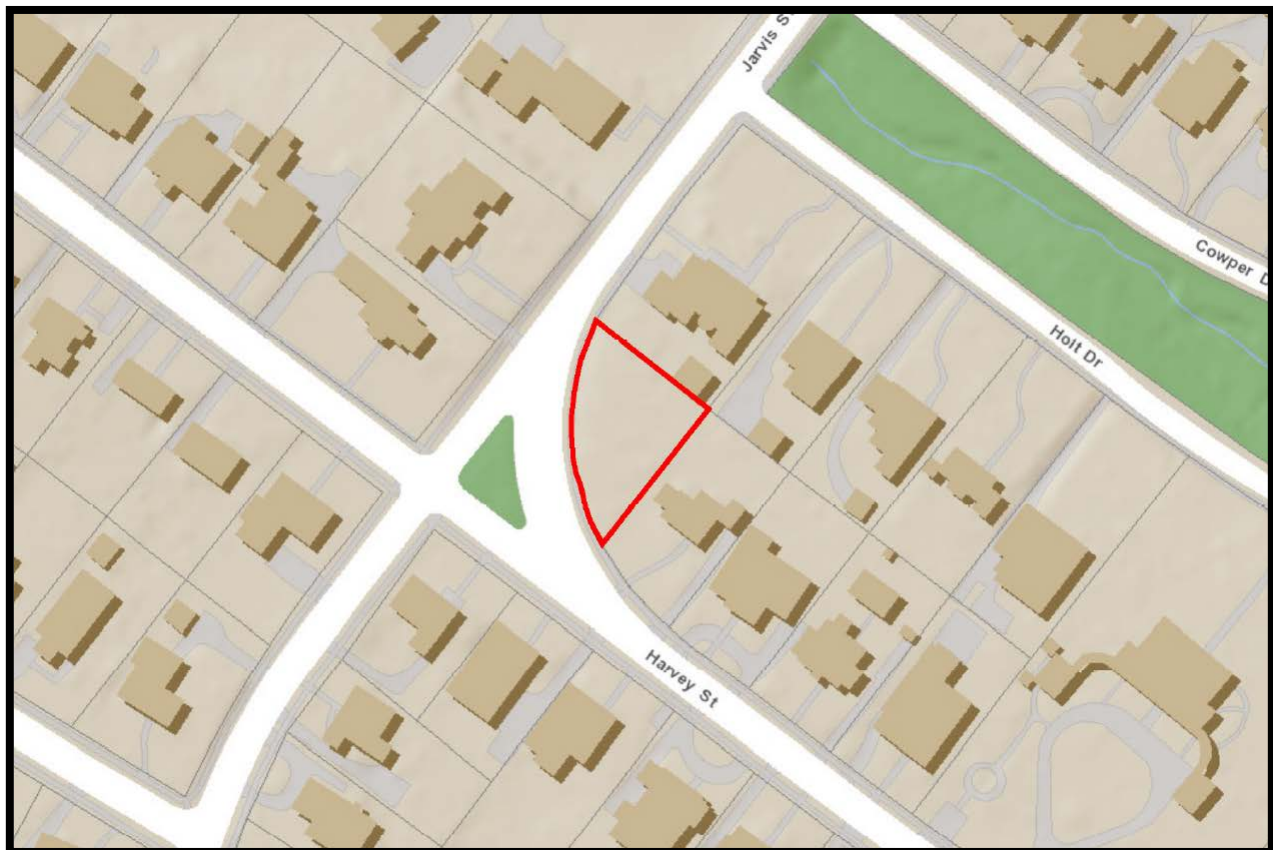
Case File: A-84-16

Property Address: 1020 Harvey Street

Property Owner: Kate Fonville

Project Contact: Micheal Birch

Nature of Case: A request for a 17' primary street yard setback variance pursuant to the Residential Infill Compatibility requirements of Section 2.2.7. of the Part 10A Unified Development Ordinance to construct a detached house that results in a 25' front yard setback on a .24 acre property zoned Residential-6 and located at 1020 Harvey Street.

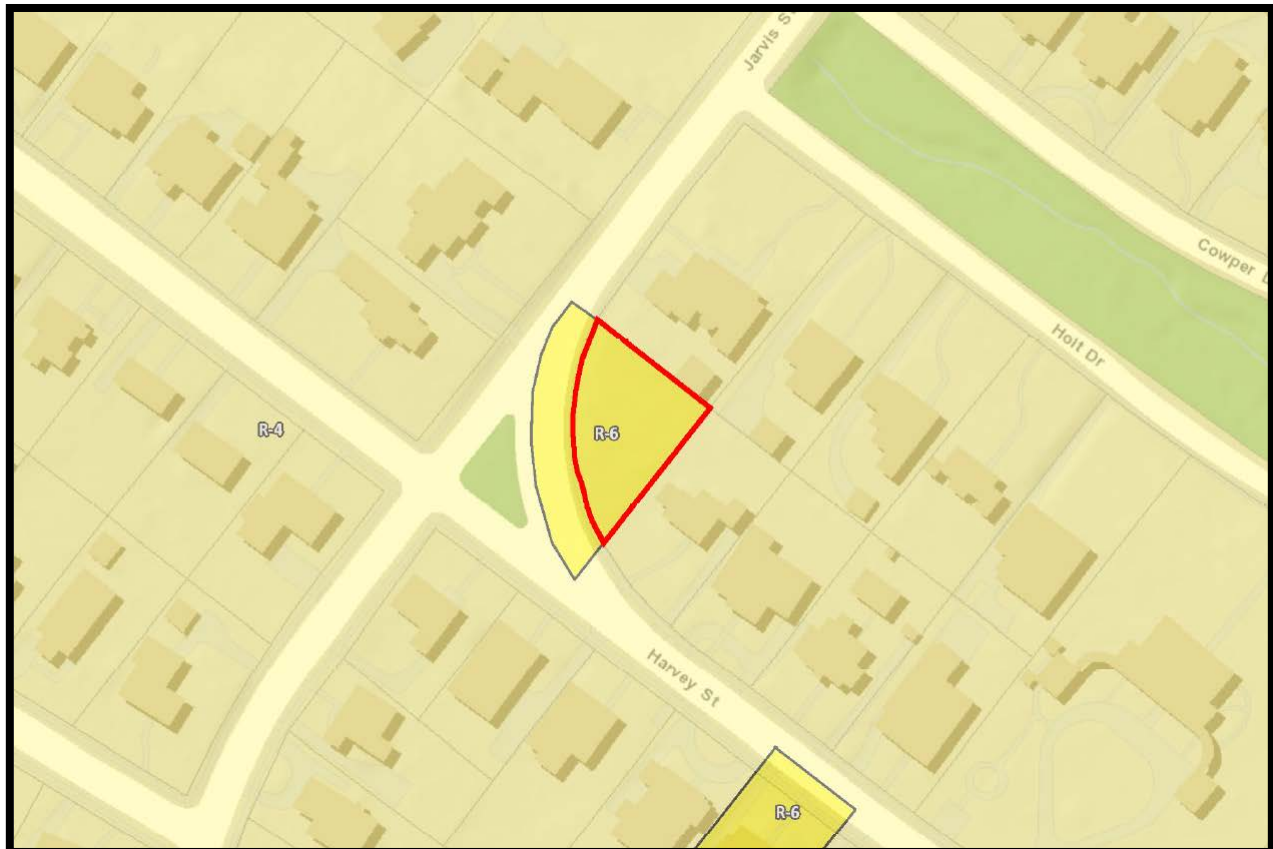


1020 Harvey Street – Location Map

To BOA: 7-11-16

Staff Coordinator: Eric S. Hodge, AICP

**ZONING
DISTRICTS:** Residential-6



1020 Harvey Street – Zoning Map

VARIANCE STANDARDS: In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Setback Standards: The subject property is zoned Residential-6

<u>Yard Type</u>	<u>Minimum Setback</u>
Front Yard	10'
Side Street	10'
Side	5'
Sum of Side Setbacks	15'
Rear	20'

Application for Variance



RALEIGH
DEPARTMENT OF
CITY PLANNING



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
Nature of variance request (if more space is needed, submit addendum on separate sheet): See attached Exhibit A.	Transaction Number A-84-16
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

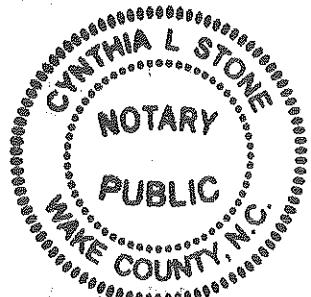
GENERAL INFORMATION		
Property Address 1020 Harvey Street	Date	
Property PIN 1704375362	Current Zoning Residential-6	
Nearest Intersection Harvey Street & Jarvis Street	Property size (in acres) 0.24 acres	
Property Owner Kate J. Fonville	Phone	Fax
Owner's Mailing Address 1018 Harvey Street, Raleigh, NC 27608	Email	
Project Contact Person Michael Birch, Morningstar Law Group	Phone 919.590.0388	Fax
Contact Person's Mailing Address 1330 St. Mary's Street, Suite 460, Raleigh, NC 27605	Email mbirch@morningstarlawgroup.com	
Property Owner Signature <i>Kate J. Fonville</i>	Email	
Notary <i>Cynthia L. Stone</i> Sworn and subscribed before me this <u>9th</u> day of <u>June</u> , 20 <u>16</u> NOTARY EXPIRES 4-25-2021	Notary Signature and Seal 	

EXHIBIT A

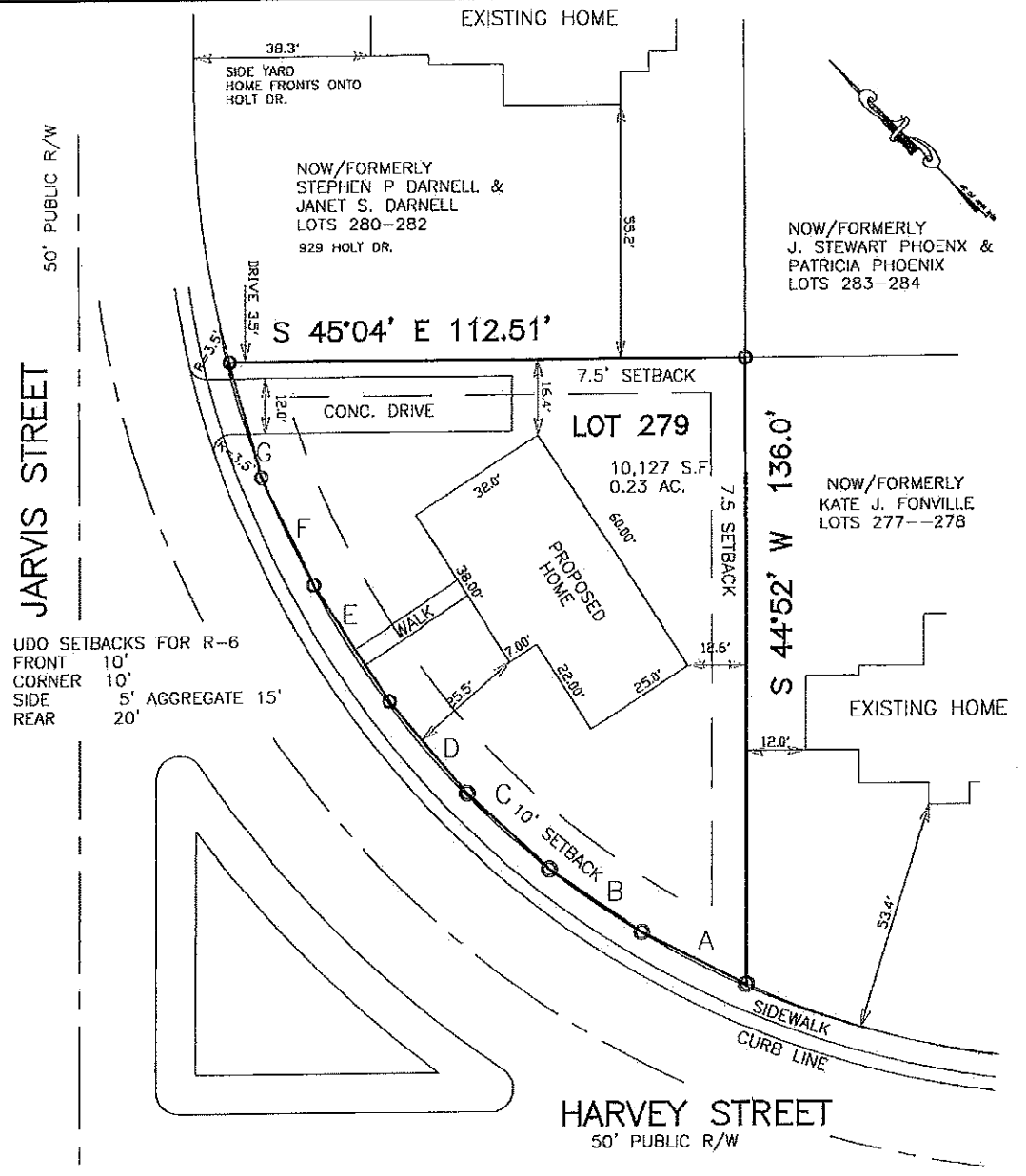
The property owner is requesting a 17' variance to the front yard setback along Harvey Street and Jarvis Street to permit a 25' front yard setback as shown on the attached plot plan.

Although the property is zoned R-6, the City determined that the property is subject to the residential infill compatibility standards of UDO section 2.27, that the property is considered a corner lot for the purposes of the residential infill compatibility standards, that Harvey Street is the primary block face, and that the property's frontage along Harvey Street and Jarvis Street is the front yard.

According to the attached plot plan, the front yard setback range of the three closest lots along Harvey Street is from 42' to 53'. Therefore, the minimum front yard setback applicable to the property is 42 feet. This standard far exceeds the 10-foot front yard setback otherwise applicable to property zoned R-6.

Based on the odd shape of the lot, the extensive frontage along Harvey Street and Jarvis Street, the City's determination that the front yard setback applies along the property's entire frontage along Harvey Street and Jarvis Street, and other information to be provided at the hearing, the property owner is requesting a 17' variance to the front yard setback to permit a 25' front yard setback.

SUBJECT PROPERTY IS _____ IS NOT _____ LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DESIGNATED ON FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP NUMBER _____ ZONE _____



HOUSE OFFSET FROM STREET	HARVET ST. ADDRESS	DISTANCE
	1018	53'
	1016	44'
	1012	42'

LINE TABLE

A	N	18°12'	W	25.42'
B	N	10°30'	W	24.51'
C	N	02°39'	W	24.51'
D	N	04°24'	E	26.36'
E	N	11°40'	E	30.06'
F	N	19°29'	E	26.32'
G	N	29°40'	E	26.31'

PRELIMINARY PLAT, NOT FOR RECORDATION, CONVEYANCE OR SALE

BUILDER TO VERIFY HOUSE DIMENSIONS

HAYES BARTON

LOT 279 BLOCK _____

RECORDED IN BOOK OF MAPS 1920, PAGE 30 WAKE COUNTY, N. C.

I, JOHN Y. PHELPS, JR. HEREBY CERTIFY THAT THIS MAP IS CORRECT AND THAT THE BUILDINGS LIE WHOLLY ON THE LOT AND THAT THERE ARE NO ENCROACHMENTS OF OTHER BUILDINGS ON SAID LOT UNLESS SHOWN OTHERWISE. THIS MAP IS NOT FOR RECORDING.

PROPOSED PLOT PLAN
PROPERTY OF

KATE J. FONVILLE
1020 HARVEY STREET
RALEIGH, N.C.

SCALE 1"=30'

DATE 06/01/16

HB-279

JOHN Y. PHELPS, JR.

PROFESSIONAL LAND SURVEYOR
5110 BUR OAK CIRCLE
RALEIGH, NORTH CAROLINA, 27612 (919) 787-3658

JOHN Y. PHELPS, JR. RLS # 1319


[Home](#)

Wake County Real Estate Data Account Summary

[iMaps](#)
[Tax Bills](#)
Real Estate ID **0008799**PIN # **1704375362**
[Account Search](#)
Location Address
1020 HARVEY STProperty Description
LO279 HAYES BARTON BM1920-00030
[Pin/Parcel History](#) [Search Results](#) [New Search](#)
[NORTH CAROLINA](#) [Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Property Owner FONVILLE, KATE J (Use the Deeds link to view any additional owners)		Owner's Mailing Address 1018 HARVEY ST RALEIGH NC 27608-2332	Property Location Address 1020 HARVEY ST RALEIGH NC 27608-2332
Administrative Data Old Map # E011-E0002-0016 Map/Scale 1704 10 VCS 01RA303 City RALEIGH Fire District Township RALEIGH Land Class VACANT ETJ RA Spec Dist(s) Zoning R-6 History ID 1 History ID 2 Acreage .24 Permit Date Permit #		Transfer Information Deed Date 2/4/1997 Book & Page 07323 0318 Revenue Stamps Pkg Sale Date 8/1/1981 Pkg Sale Price \$11,000 Land Sale Date Land Sale Price Improvement Summary Total Units 0 Recycle Units 0 Apt/SC Sqft Heated Area	Assessed Value Land Value Assessed \$306,000 Bldg. Value Assessed Tax Relief Land Use Value Use Value Deferment Historic Deferment Total Deferred Value Use/Hist/Tax Relief Assessed Total Value Assessed* \$306,000

*Wake County assessed building and land values reflect the market value as of January 1, 2016, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2016 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2016 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Revenue Department at RevHelp@wakegov.com or call 919-856-5400.

Real Estate ID 0008799

PIN # 1704375362

Account
SearchLocation Address
1020 HARVEY STProperty Description
LO279 HAYES BARTON BM1920-00030[Pin/Parcel History](#) [Search Results](#) [New Search](#)[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Building Location Address 1020 HARVEY ST		Building Description 01RA303		Card 01 Of 01																																																																																																																																
Bldg Type Units Heated Area Story Height Style Basement Exterior Const Type Heating Air Cond Plumbing		Year Blt Addns Int. Adjust. Other Features		Base Bldg Value Grade Cond % Market Adj. Market Adj. Accrued % Incomplete Code Card 01 Value All Other Cards Land Value Assessed \$306,000 Total Value Assessed \$306,000																																																																																																																																
Main and Addition Summary <table border="1"> <thead> <tr> <th>Story</th> <th>Type</th> <th>Code</th> <th>Area</th> <th>Inc</th> </tr> </thead> <tbody> <tr><td>M</td><td></td><td></td><td></td><td></td></tr> <tr><td>A</td><td></td><td></td><td></td><td></td></tr> <tr><td>B</td><td></td><td></td><td></td><td></td></tr> <tr><td>C</td><td></td><td></td><td></td><td></td></tr> <tr><td>D</td><td></td><td></td><td></td><td></td></tr> <tr><td>E</td><td></td><td></td><td></td><td></td></tr> <tr><td>F</td><td></td><td></td><td></td><td></td></tr> <tr><td>G</td><td></td><td></td><td></td><td></td></tr> <tr><td>H</td><td></td><td></td><td></td><td></td></tr> </tbody> </table>		Story	Type	Code	Area	Inc	M					A					B					C					D					E					F					G					H					Other Improvements <table border="1"> <thead> <tr> <th>Units</th> <th>DesItem</th> <th>Code</th> <th>Year</th> <th>%ADJ</th> <th>Inc</th> <th>Value</th> </tr> </thead> <tbody> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table>				Units	DesItem	Code	Year	%ADJ	Inc	Value																																																																						
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